

**LAW OFFICE OF
JIM DAVIS
1904 24th Avenue
Post Office Box 1839
Gulfport, Mississippi 39502**

James L. Davis, III
Ian A. Brendel *

** Also admitted in Alabama*

Phone: 228-864-1588
FAX: 228-863-5008
Email: jamesldavisiii@aol.com
ian.brendel@yahoo.com

July 20, 2009

COPY

Alvin Chase, Esq.
Chase, Chase & Associates, PLLC
P.O. Box 7119
D'Iberville, MS 39540

**RE: Only Al-Khidhr v. Rick Gaston, Ryan Teel, Morgan Thompson, et al
Civil Action No. 1:07cv1223- LG-RHW**

Dear Alvin:

Please accept this letter as a "good faith" attempt pursuant to Local Rule 37.1 (a) to resolve a dispute regarding Plaintiff's designation of experts witnesses in the above styled cause.

I know that the Plaintiff designated Dr. Barry Crown as an expert. I am unsure as to whether or not he has been retained or specially employed as an expert. If he is, the rules require that he submit a report with the designation. At this time, the expert designation file with the court states that the report is unavailable. In the event that Dr. Crown has been retained or specially employed as an expert witness on behalf of the Plaintiff, please supplement Dr. Crown's report within ten (10) days of the date of this letter, or I may file a motion to strike Dr. Crown's designation, or in the alternative, compel production in accordance with Rule 26(a)(2)(a) of the Federal Rules of Civil Procedure.

I also note that the Plaintiff designated William Drechsel as an expert witness who had been specially retained on behalf of the Plaintiff in this matter. Federal Rules of Civil Procedure 26(a)(2)(a) require that experts submit a report. In reviewing William Drechsel's expert designation, Plaintiff indicates that Mr. Drechsel has not issued a report. Please be advised that the rules require that Mr. Drechsel issue a report due to the fact that he has been retained as an expert on behalf of the Plaintiff. As such, please supplement Plaintiff's designation with a report by William Drechsel within ten (10) days of the date of this letter, or I may file a motion to strike, or in the alternative, a motion to compel in accordance with Rule 26(a)(2)(a) of the Federal Rules of Civil Procedure.

I note that the Plaintiff has designated Thomas H. Cristiansen as an expert witness and did not submit a report by Thomas Christiansen. Due to the fact that Mr. Christiansen is

Alvin Chase
07/20/2009
Page - 2 -

employed as an expert witness by the Plaintiff, Mr. Christiansen is required to provide a report pursuant to Federal Rule of Civil Procedure 26(a)(2)(a). As such, please supplement Plaintiff's expert designation within ten (10) days of the date of this letter, or I may file a motion to strike Mr. Christiansen's designation, or in the alternative, compel production in accordance with Rule 26(a)(2)(a).

Thank you for your attention to these matters. If you have any further questions, please feel free to contact me.

With kind regards, I remain

Sincerely,



IAN BRENDEL

IB/mwc